UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. 01-026 A)

In re Application of:	)
	)
Ali Akgun et al.	)
	)
Serial No.: 09/899,365	)
	)
Filed: July 2, 2001	)
	)
For: Communication of Packet Arrival Times	)
To Cable Modem Termination System	)
And Uses Thereof	)
	)

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Technology Center 2600

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

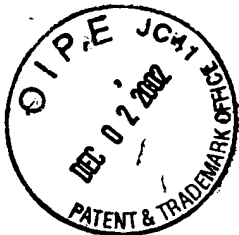In regard to the above identified application:

1. We are transmitting herewith the attached:
    1. Second Preliminary Amendment
    2. Return Postcard

2. With respect to additional fees:

    A __X__   No additional fee is required.

    B __   Attached is a check in the amount of $ _____.

    C. ____   Charge any required fees to our Deposit Account No. 13-2490.

3. Please charge any additional fees or credit overpayment to Deposit Account No. **13-2490**. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on this __26_th day of Novmeber, 2002.

By: _____

Thomas A. Fairhall
Reg. No. 34591

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SECOND PRELIMINARY AMENDMENT

Commissioner of Patents
Box Missing Parts
Washington, DC 20231

Dear Sir:

In advance of the examination of the application, please rewrite claims 12 and 23 as follows. A marked-up version of the claim amendments is set forth in Exhibit A.

12. In a data-over-cable system, a method for minimizing accumulation of TCP ACK packets at a cable modem, comprising the steps of:

a) said cable modem time stamping the arrival of TCP ACK packets from an end station connected to said cable modem;

b) transmitting one or more packets from said cable modem to a cable modem termination system containing data associated with a plurality of said time stamps;

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